City of Seattle

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CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE

Application Number: 2300953

Applicant Name: University of Washington

Address of Proposal: 1705 NE Pacific Street (Bioengineering and Genome Sciences Building)

SUMMARY OF PROPOSED ACTION

Shoreline Substantial Development Permit to establish use for future construction of a 265,000 sq. ft. Major Institution building (University of Washington Bioengineering & Genome Sciences Building) with loading dock below grade. Project includes approximately 130,000 cubic yards of grading. Supplemental Environmental Impact Statement prepared by University of Washington.

The following approvals are required:

Shoreline Substantial Development Permit - to allow institutional uses in a US Environment. Chapter 23.60.030

SEPA - To impose conditions, Chapter 25.05, Seattle Municipal Code. SEIS issued by the University of Washington.*

SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] MDNS [X] EIS

[ ] DNS with conditions

[ ] DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.*

*Supplement to Campus Master Plan EIS January, 2003 prepared by University of Washington.

BACKGROUND DATA

Existing Conditions

The project site is located within the University of Washington's Southwest Campus. The entire UW campus is located within the University District Urban Center. The Southwest Campus consists of approximately 30 acres bordered by NE Pacific Street, Portage Bay, and 15th Avenue N.E. The planned Portage Bay Vista, a future open space to be located immediately east of the proposal project, will be oriented from N.E. Pacific Street and will look southwest towards Portage Bay and the Eastlake/Capitol Hill neighborhood. The proposed *Bioengineering & Genome Sciences Building* would occupy the southeast corner of the 15th Avenue NE and NE Pacific Street and would frame the western boundary of the Portage Bay Vista.

The topography of the project site is a gradual slope down from N.E. Pacific Street to N.E. Boat Street with an overall change in elevation of about 40 ft. The topography continues to slope down toward Portage Bay, which is located south of N.E. Boat Street.

The project site is currently occupied by a gravel-surfaced parking lot and an asphalt-paved, east-west, pedestrian/service corridor (*Skamania Lane*). The corridor provides a pedestrian connection between Magnuson Health Sciences Center, 15th Avenue N.E., and University facilities west of 15th Avenue N.E. Former uses of the site included the Cornwall Fuel Company, a golf course and student housing.

Uses in the area are primarily University of Washington academic buildings such as the University's Magnuson Health Sciences Center, Hitchcock Hall and Ocean Sciences Building and Physics and Astronomy Building. The waterfront lots south of the project site along N.E. Boat Street are generally in water dependant or water related use. These include University properties leased for private houseboats, boat moorages, a waterfront restaurant (Aqua Verde'), a kayak rental operation and a public park. There is one privately owned property as well, the Jensen Motor Boat Company.

The University of Washington Campus Master Plan and the official Land Use Map identify this area as having a Major Institution Overlay with a height limit of 65 feet (MIO-65). The portion of the project site lying east of the centerline of vacated 15th Avenue NE is identified as MIO 105 as is the property to the east beyond. Across 15th Avenue to the west the zoning is MIO-65; to the northwest zoning is MIO 65; to the northeast the zoning is MIO-105. Adjacent rights of way are improved with curb gutter and sidewalk. There are existing street trees along the 15th Avenue frontage. Approximately 65 feet of the southerly portion of the site is within the Seattle Shoreline Master Program zoning designation of Urban Stable (US). Primary vehicle access to the site is from NE Boat Street where a curbcut currently provides access to the Oceanography Building.

Proposal

The proposed *Bioengineering & Genome Sciences Building* would be a 6-level structure containing approximately 265, 000 square feet of gross floor area (not including areas below grade, interstitial mechanical spaces etc.). The project would provide consolidation of departmental functions that are currently located in 17 buildings on campus. The building would be oriented in a northeast-southwest direction generally parallel to 15th Avenue NE.

The Department of Bioengineering would occupy the north half of the building and contain six levels, as well as a basement mechanical area, and a mechanical penthouse. The Department of Genome Sciences would occupy the south half of the building containing five levels, a basement mechanical area and a mechanical penthouse. The primary uses of this building include research, administration, instruction and associated labs and offices.

Building materials would include prefabricated terra cotta panels, translucent glazing, with aluminum framing, aluminum panels and translucent glass sunshades. The window system would include glazing, aluminum framing, painted aluminum panels and terra cotta sunshades. The portion of the building connecting the north and south halves of the building would be glass with aluminum panels and aluminum framing.

The Bioengineering and Genome wings of the building would be separated by a covered walkway. Main entries to the north and south portions of the building would be from this area. The University's existing east-west pedestrian connection – *Skamania Lane* – would pass through the building courtyard passing east-west through the Portage Bay Vista. Pedestrian entries to the building would also be located at the northeast corner and at the southwest, south and southeast corners of the building. The grounds would be landscaped turf, deciduous shade, flowering ornamental trees; and coniferous trees. Landscaping for portions of the Portage Bay Vista will be installed along the eastern façade of the building.

The project includes preliminary planning and design for future construction of the 110-foot wide, landscaped portion of the Portage Bay Vista which lies along the proposed east façade of the building. The portion of Portage Bay Vista on site extends from N.E. Pacific St. to N.E. Boat Street.

Access to the below grade loading dock associated with the proposed *Bioengineering & Genomics Building* would be provided from N.E. Boat Street. A service tunnel would be constructed beneath the proposed Portage Bay Vista connecting the proposed *Bioengineering & Genomics Building* with the existing service and loading areas associated with Hitchcock Hall and the Health Sciences Center. Other than below grade space for service and loading vehicles, no on site parking is proposed.

In conjunction with the construction of the buildings, utilities would be relocated, including storm drains, several water lines, and on-site light poles with power supply. As noted previously, a segment of Skamania Lane that bisects the project site would also be temporarily relocated north and south of the site along NE Boat Street and NE Pacific Street during construction. The existing temporary construction-related parking that is currently on-site would also be removed.

The site work for the Bioengineering Genome Science Building would begin in 2003. Completion of the Bioengineering portion of the building is scheduled for late summer 2005 with occupancy in late 2005. Construction of the Genome Sciences portion of the building is expected to be completed by early 2006 with occupancy in early spring 2006.

Public Comment

No comment letters were received during the comment period for the Master Use Permit application, which ended April 25, 2003. The project design was presented to the City University Community Advisory Committee (CUCAC). Members of CUCAC noted general approval of the proposed design. Some members of the committee were concerned over the apparent bulk and scale of the project, which was reflected in their comment letter on the Draft SEIS.

ANALYSIS - SHORELINE SUBSTANTIAL DEVELOPMENT

SMC Section 23.60.030 provides criteria for review of shoreline substantial development permits. Specifically, the section states that a substantial development permit shall be issued only when the proposed development is consistent with:

A. The policies and procedures of Chapter 90.58 RCW;
B. The regulations of this Chapter; and
C. The provisions of Chapter 173-27 WAC.

Chapter 90.58 of the Revised Code of Washington (RCW) codifies the State's policies with respect to managing shorelines and fostering reasonable and appropriate shoreline uses. Specifically, the Act contemplates protection against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life. The Act further provides definitions and concepts and delegates responsibility for implementation to specific state and local governmental entities. Local governments are given primary responsibility for initiating and administering the regulatory program of the Act. The State Department of Ecology (DOE), on the other hand, is given responsibility for insuring compliance among local governments with the policy of the State and provisions of the Act. Pursuant to the requirements of the Act, the City of Seattle has adopted a local shoreline master program that has been approved by the DOE. The City of Seattle Shoreline Master Program (SSMP) is codified in Chapter 23.60 of the Seattle Municipal Code.

In evaluating applications for shoreline substantial development permits, the Director must determine that a proposed use meets the criteria set forth in SSMP 23.60.030. Specifically, development standards of the shoreline environment and development standards in the Campus Master Plan must be considered and a determination must be made whether any special permit requirements or conditions are necessary to preserve or enhance the shoreline area. The applicant must also demonstrate that the proposal meets the criteria and development standards for the specific shoreline environment in which the site is located, any applicable approval criteria, general shoreline master program development standards, and the development standards for specific uses. The following is a discussion of the proposal's compliance with the substantial development criteria.

Shoreline Policies (RCW 90.58 and SSMP 23.60.004)

Policies governing approval of development in shoreline districts are set out in the Land Use Element of the Seattle Comprehensive Plan and SSMP section 23.60.004. Seattle's Comprehensive Plan Shoreline Policies encourage the type of use proposed in many ways. Policy LG89 urges that "non-water dependent uses upland to optimize shoreline use and access." Policy LG92 urges provision of "the optimum amount of public access -- both physical and visual -- to the shorelines of Seattle." Policy LG93 urges the preservation of and "enhancement of views of the shoreline and water from upland areas where appropriate."

The upland location of the *Bioengineering & Genome Sciences Building* will not interfere with the existing and future uses of the shoreline. The eastern façade of the building will frame the views through the Portage Bay Vista, which was established in the Southwest Campus Plan. The Campus Master Plan states that:

> *"The view looks to the southwest, toward Portage Bay and the Eastlake/Capitol Hill neighborhood, to downtown beyond. The vista corridor will also provide a needed, important pedestrian connection to the shoreline and integration with the Central Campus."*

The policies and procedures of Chapter 90.58 RCW

As noted above, Chapter 90.58 RCW, is known as the Shoreline Management Act of 1971. It is the policy of the State of Washington to provide for the management of all shorelines of the state by planning for and fostering all reasonable and appropriate uses through the local shoreline master programs, in this case the SSMP. If the proposal is consistent with the local master program, it is therefore also consistent with the policies and procedures of the Act as outlined in RCW 90.58. The following section addresses how the project is consistent with the SSMP.

The Regulations of Chapter 23.60

Chapter 23.60 of the Seattle Municipal Code is known as the "Seattle Shoreline Master Program" (SSMP). SSMP Section 23.60.064D states, *"If the development or use is a permitted use and meets all the applicable criteria and standards, or if it can be conditioned to meet the applicable criteria and standards, the Director shall grant the permit or authorization."*

In evaluating a proposal's compliance with the criteria for substantial developments, the development standards of the specific shoreline environment and underlying zone must be considered, and a determination made as to whether any special requirements (shoreline conditional use, shoreline variance, or shoreline special use permit) or conditioning are necessary to protect the shoreline area. (SSMP 23.60.064). Because land uses on the University of Washington Campus are governed not by the underlying zoning but by the Campus Master Plan as provided in at SMC 23.69.006, the project must comply with the *University of Washington Campus Master Plan* and the specific shoreline environment.

Specific development standards such as use, height, setbacks, landscaping, light and glare, noise, signs and parking can be found in the Section V of the *University of Washington Campus Master Plan*. The base height limit on the site is 65 feet (not including height bonuses and exceptions as

provided in Section V of the Campus Master Plan). The *Bioengineering and Genome Sciences Building* reflects the underlying height standards and the proposed height of the building in the US environment at less than 30 feet. Although setbacks are not required (*Section V*, *University of Washington Campus Master Plan*), the building will provide setbacks from the abutting right of ways between 6 and 20 feet. The project meets applicable noise, odor, light and glare standards as well. No on-site parking is required or proposed other than loading spaces located in the underground loading dock.

In this case there are three specific development standards within SSMP 23.60.600-642 applicable to the project. Those are SSMP 23.60.608-Permitted uses on upland lots, SSMP 23.60.632-Height and SSMP 23.60.634-Lot Coverage.

SSMP 23.60.608 Permitted uses

Section 23.60.608 A (2) of the SSMP permits Institutions on upland lots in the US shoreline environment. The site is separated from the waterfront by intervening lots and the N.E. Boat Street right-of-way. As such this site is an "upland lot" as defined by Section 23.60.924 of the SSMP.

For purposes of the Shoreline Master Program and the Seattle Land Use code, the University of Washington is considered an "institution" as defined by Section 23.60.918 SSMP. Therefore, the *Bioengineering & Genome Sciences Building* in its upland location is a permitted use consistent with the US shoreline environment requirements at SSMP 23.60.608.

SSMP 23.60.632 Height

The southerly approximately 65 feet of the subject site is located within the US shoreline environment. The rest of the site is located outside the US shoreline environment in a MIO 65 zone. SSMP 23.60.022 states *"Where a substantial development is proposed which would be partly within and partly without the Shoreline District, a shoreline substantial development permit shall be required for the entire development. The use and development standards of this chapter shall apply only to that part of the development which occurs within the Shoreline District…"* The *Bioengineering and Genome Sciences Building* has been designed accordingly. The southern portion of the building which lies partially with the US shoreline environment is limited to the 30 foot height limit for development in the US environment (SSMP 23.60.632), as measured according to the SSMP height measurement technique at Section 23.60.952. The proposal meets the development standards for height.

SSMP 23.60.634 Lot Coverage

Subsection B of 23.60.604 B. states, "Structures are permitted to occupy one hundred (100) percent of an upland lot…" The *Bioengineering and Genome Sciences Building* site will be well under the 100% coverage.

SSMP 23.60.152 General Development Standards

In addition, to the US shoreline environment development standards, the development must also meet the general development standards applicable to uses in all environments contained in Subchapter III, General Provisions (SSMP Section 23.60.630).

Section 23.60.152 of the Shoreline Master Program sets forth the general development standards with which all uses must comply. Section 23.60.152 requires that design and construction of all uses be conducted in an environmentally sound manner, consistent with the Shoreline Management Program and with best management practices for the specific use or activity.

The proposed construction will occur on an upland lot. No work is proposed within waters of Portage Bay. In terms of potential impact to water quality of Lake Union and Portage Bay, *Section III* of the DSEIS describes measures that the University has included in its proposal to control surface water runoff and protect receiving water quality, shore properties and shoreline features.

These measures include:

- Preparation and City approval of a *Comprehensive Drainage Control Plan*, consistent with the City's Stormwater, Grading and Drainage Control Code.
- Preparation and City approval of an Inspection Maintenance Schedule and *Construction Stormwater Control Plan*.
- Ground surface in the construction area would be sloped to promote runoff of stormwater to control facilities and to prevent ponding. Sloping would be consistent with provision of the *Comprehensive Drainage Control Plan.*
- Inspect and clean construction-related debris from catch basins on a daily basis.
- All disturbed areas would be landscaped or seeded as soon as construction is completed to minimize wind and water related erosion.
- Adherence to Environmental Bulletin #9 of the University of Washington Project managers Reference Document for Environmental Stewardship. The Bulletin provides measures for cleanup and protection of surface and groundwater as a result of accidental contaminant spills.
- University construction management personnel would regularly monitor all temporary erosion control features to minimize sediment loading in stormwater runoff from the construction site.
- Construction equipment and haul trucks would be washed before exiting the site.
- Construction silt fencing and mulch would be used to protect slopes and avoid disturbance of areas adjacent to the site.

Because the SSMP requires that developments institute best management practices in order to ensure that general shoreline and water quality protection standards of SMC 23.60.152 are met**,** the University will provide a copy of its *Comprehensive Drainage Control Plan* and *Construction Stormwater Control Plan* to DCLU outlining the measures described above. With these measures in place during construction, the proposal will be consistent with the development standards for uses in the US environment outlined in SSMP 23.60.600-640 as well as the General Development Standards for uses in the shoreline outlined in SMC 23.60.152. The measures above will be included as conditions of approval for this proposal.

The provisions of Chapter 173-27 WAC

WAC 173-27 establishes basic rules for permit systems to be adopted by local governments, pursuant to the language of RCW 90.58. It provides the framework for permits to be administered by local governments, including time requirements of permits, revisions to permits, notice of application, formats for permits, and provisions for review by the state's Department of Ecology (DOE). As the Seattle Shoreline Master Program has been approved by DOE, consistency with the criteria and procedures of SMC Chapter 23.60 demonstrates consistency with WAC 173-27 and RCW 90.58. The proposal is consistent with the regulations of 23.60, thus the proposal is consistent with the criteria for shoreline substantial developments permit and should be approved.

Conclusion

Development requiring a Shoreline Substantial Development Permit will be approved if it conforms to the policies and procedures of the WAC, RCW and with the regulations of Chapter 23.60, Seattle Shoreline Master Program. The foregoing analysis describes how the project, as proposed, meets the specific standards for development in the Urban Stable shoreline environment, conforms to the general development standards and is consistent with the policies and procedures of the Shoreline Management Act.

Pursuant to the Director's authority under Seattle's Shoreline Master Program to ensure that development proposals are consistent with the policies and procedures and conforms to specific development standards, and having established that the proposed use and development are consistent with the Seattle Shoreline Program, the Director hereby determines that the proposal is **APPROVED WITH CONDITIONS.**

DECISION- SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

The proposed action is **APPROVED WITH CONDITIONS**

ANALYSIS – STATE ENVIRONMENTAL POLICY ACT (SEPA)

Project specific environmental impacts of the *Bioengineering & Genome Sciences Building* have been disclosed and analyzed in the environmental documents prepared by the University of Washington as lead agency. On July 3, 2003, the University of Washington issued a Supplemental Final Environmental Impact Statement (SEIS) for the *Bioengineering & Genome*

Sciences Building. The SEIS is meant to supplement the FEIS for the 2001 Campus Master Plan. Because the Campus Master Plan is a conceptual document, the Master Plan FEIS provided only programmatic-level environmental impact analysis for potential campus development expected to occur during the lifetime of the master plan. Therefore, the analyses contained in the University's *Bioengineering & Genome Sciences Building* Draft and Final SEIS evaluate the direct, indirect and cumulative impacts of the proposal not specifically addressed in the Campus Master Plan FEIS.

The Seattle SEPA Ordinance provides substantive authority to require mitigation of significant adverse environmental impacts resulting from a proposed project (SMC 25.05.655 and 25.06.660). Mitigation, when required, must be related to specific environmental impacts identified in an environmental document and may be imposed to the extent that a given impact is attributable to a proposal, and to the extent that the mitigation is reasonable and capable of being accomplished. Additionally, mitigation may be required only when based on policies, plans and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675 inclusive (SEPA Overview Policy, SEPA Cumulative Impacts Policy, SEPA Specific Environmental Policies). In some instances, local, state or federal regulatory requirements will provide sufficient mitigation of an impact and additional mitigation imposed through SEPA will not be necessary.

ENVIRONMENTAL IMPACTS

Elements of the environment considered in the Draft and Final SEIS included: Earth, Air, Water, Energy, Environmental Health, Noise, Land Use and Shorelines, Land Use relationships to Plans and Policies; Aesthetics, Light Glare and Shadows; Historic and Cultural Resources; Transportation, Circulation and Parking; Public Services and Utilities. Please refer to DSEIS, Section 1, Summary Environmental Impacts at page S-5 and Mitigation Measures at page S-11, for the list of possible or probable adverse environmental impacts. Refer to the DSEIS, Section III, pgs. 19 through 86 for a complete description of affected environments.

The information provided by the University and its consultants, and the experience of the lead agency with the review of similar proposals form the basis for review and conditioning of the proposal. The potential environmental impacts disclosed by the Draft and Final SEIS are discussed below.

Short-Term Impacts

Construction activities could result in the following adverse impacts: construction dust and stormwater runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and public utilities; and a small temporary increase in traffic and parking impacts due to construction workers' vehicles. Many of these impacts are limited in scope and are addressed by existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. In addition to these existing codes and policies, the University has incorporated several measures into its proposal to further mitigate construction-related impacts noted in each section. The following is an analysis of the short term and largely construction related impacts of the proposal.

Earth

The DSEIS indicates that the excavation and export of soil material off-site and import of structural fill material would result in approximately 130,000 cubic yards of material being trucked to and from the site. The geotechnical discussion included in DSEIS (Section III, pg. 21) indicates that extensive site excavations and stockpiling of materials have the potential to create localized erosion.

Current codes are adequate to provide mitigation and pursuant to the Overview Policy (SMC Section 25.05.665) and Construction Impacts Policy (SMC Section 25.05.675B) no further mitigation is warranted.

Air Quality

Construction of the project would result in localized short-term increases in particulates and carbon monoxide. Construction activities that would contribute to these impacts include excavation, grading, soil compaction, and operation of heavy trucks and smaller equipment (i.e., generators and compressors.

During construction, on-site activity and periodic traffic delays on adjacent streets could contribute to slight increases in localized vehicle emissions but it is not expected that these emissions would result in a violation of any local ambient air quality standards.

Pursuant to the authority of the Overview Policy (SMC Section 25.05.665, and the Construction Impacts Policy (SMC Section 25.05.675B), in order to limit the amount of dust associated with grading, excavation and stockpiling of soil, further mitigation in the form of frequent watering of exposed soils and/or covering of stockpiled soil piles with visqueen or similar material will be required. Construction equipment and haul trucks should be washed, as needed, before exiting the site to minimize dust impacts.

Water Quality

Portage Bay and the Lake Washington Ship Canal are located south of N.E. Boat Street and the project site. The project site does not include any natural drainage features. Currently, the project site is used for short-term, construction-related parking. Overland stormwater runoff from the project site is conveyed to an existing stormwater system located in N.E. Boat Street. The Boat Street system discharges to Portage Bay.

The DSEIS notes that geotechnical investigations on site revealed groundwater at depths ranging from approximately 8 feet to 40 feet. Groundwater on the project site is expected to vary as a function of season, precipitation and other natural conditions. The DSEIS indicates that some dewatering would be necessary during construction (approximately six to eight months). Water from the wells would be tested and, depending upon findings, either discharged into the City of Seattle sanitary sewer or storm drainage system, located adjacent to the project site.

The University proposes several measures to ensure that the water quality of Lake Union is not affected by stormwater runoff. Proposed mitigation measures are described in the DSEIS (Section III p.29). Pursuant to authority of the Overview Policy (SMC Section 25.05.665), and

the Construction Impacts Policy (SMC Section 25.05.675B) DCLU will require a water sampling plan for the groundwater (to be reviewed and approved by DCLU) describing how the water will be pumped, stored and discharged; including the calculations for the volume of water that will be stored at the site before discharge and the sampling protocol that will be used to determine where the groundwater will be discharged from the site. Haul trucks and construction equipment will be required to be washed before exiting the site to mitigate impacts to water quality.

Noise

The site is located at the intersection of two arterials, NE Pacific Street and 15th Avenue NE. The existing traffic volumes result in high ambient noise levels. The nearest residential uses are houseboats moored along Portage Bay, an apartment at the Jensen Motor Boat Company and the University's Stevens Court (student housing), which is located west of the project site. There are classrooms and research facilities nearby including: the Physics/Astronomy Building and Auditorium complex, Ocean Sciences, Hitchcock Hall, and Magnuson Health Sciences Center.

Short-term noise and vibration from construction equipment and construction activity (e.g., backhoes, trucks, concrete mixers, generators, and pneumatic hand tools) would occur as a result of construction and construction-related traffic. The University's standards for noise require that sound levels inside adjacent buildings and/or classrooms not exceed 60 dBA (with windows closed) between the hours of 8 AM and 5 PM on weekdays, and would be limited to 85 dBA at a distance of 50 feet. Noise levels during construction will comply with University standards and the City of Seattle Noise Ordinance.

The Draft and Final SEIS indicate no significant adverse impacts from Construction Noise would result with these measures in place. University standards for noise will meet or exceed state standards and should be sufficient to mitigate short-term noise related impacts on University property. Adjacent residential uses in the houseboat moorage across Boat Street may be impacted by construction noise and noise from trucks entering and leaving the University property. Pursuant to the Overview Policy (SMC Section 25.05.665), and the Construction Impacts Policy (SMC Section 25.05.675B) a truck trip plan including travel hours and routes should be developed and approved by DCLU in order to mitigate noise from the trucks hauling materials to and from the site.

Construction Traffic &Parking

The DSEIS indicates that excavation, export and import of soil would result in approximately 130,000 cubic yards of material being trucked to or from the site. Exported and imported material would be hauled by a combination of 10 yard and 20 yard trucks. Approximately 8,000 truck trips would be spread over a six-month time frame (approximately 60 trucks per day). Construction vehicles and haul trucks would enter the project site from 15th Avenue N.E. or N.E. Boat Street. (DSEIS Section III p. 79.) Construction vehicle activities are likely to adversely impact transportation systems, especially during periods that regularly scheduled classes are held. Currently there is no off street or on street parking immediately adjacent to the site. A plan providing parking for construction workers and a truck trip plan should be developed in order to mitigate these possible construction-related impacts.

Occasional closures of adjacent roadways and sidewalks would be required. Temporary closure of sidewalks and/or traffic lane(s) are typically addressed through Seattle Department of Transportation permits. In terms of overall traffic volumes and circulation, the University is sensitive to the needs of local businesses, customers, students, faculty and residents in the area. A complete discussion of the mitigation measures the University will institute to mitigate short term construction traffic and parking is included on page 81, *Section III* of the DSEIS.

During construction Skamania Lane would be temporarily closed and pedestrian traffic would be directed to N. E. Pacific Street and /or N.E. Boat Street. In addition, the sidewalk along the east side of 15th Avenue N.E. and at times, the sidewalk along the south side of N.E. Pacific Street would be temporarily closed. This could cause significant impacts to the pedestrian flow around the construction area. Pursuant to the authority of the Overview Policy (SMC Section 25.05.665) and the Construction Impacts Policy (SMC Section 25.05.675B) a plan showing proposed circulation for pedestrians should be developed.

Environmental Health

The Cornwall Fuel Company occupied approximately one acre in the general vicinity of NE Pacific St. and 15th Ave. NE (before 15th Ave. NE was re-aligned). The fuel company vacated the property in the early 1960s. Preliminary investigation indicates that the site of the proposed *Bioengineering & Genome Sciences Building* would occupy the central and southern portions of the former Cornwall Fuel Company property. There is a possibility that buried oil tanks remain on the site. The contents and location of each tank are not known and it is reasonable to assume that one or more tanks have leaked over time. In addition, the results of recent geotechnical investigations indicate that gasoline-range hydrocarbons at concentrations of regulatory concern are present in soil depths that range from approximately 31 feet to 40 feet in portions of the former fuel company site (p. 20, *Section III* DSEIS).

The DSEIS indicates that the University intends to remove these contaminants as part of the excavation and shoring for the new foundations of the *Bioengineering and Genome Sciences Building*. The University is undergoing this remediation voluntarily. The University's goal is to improve soil and groundwater conditions to a level consistent with non-restricted site use, as defined by Washington State Toxics Control Act (MTCA). In order to protect public health and the environment, the University has chosen to implement engineering and institutional controls throughout the clean up process. See page 22, *Section III* of the DSEIS.

Pursuant to the authority of Overview Policy (SMC Section 25.05.665), and the Construction Impacts Policy (SMC Section 25.05.675B) a plan, approved by DCLU, shall be submitted showing the locations of proposed stockpiling of hazardous soils and what measures will be in place to prevent surface water runoff.

Long-Term Impacts

Long-term or use-related impacts are anticipated from the proposal such as increased bulk and scale on the site, increased demand on public services and utilities; increased production of hazardous materials (medical wastes), increased light, glare and shadow; and increased energy consumption. Many of these impacts are limited in scope and not considered significant. Some

of these impacts are also addressed by other codes and policies such as the Stormwater, Grading and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); Campus Master Plan (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption). However, the Bioengineering and Genome Sciences represents a substantial addition to the Southwest Campus of the University of Washington. The Final SEIS included comments from adjacent properties and users regarding concerns such as height, shadows and views. The Draft and Final SEIS included thorough analysis and responses to these concerns and some additional discussion is warranted.

Land Use

The DSEIS indicates that the *Bioengineering and Genome Sciences* Building would be consistent with the type, pattern and intensity of land use in this part of the University's campus. The *General Physical Development Plan, the Southwest Campus Plan*, and the University's recently-approved *Master Plan, Seattle Campus* depict development consistent with that of the proposed *Bioengineering and Genome Sciences* building at this location. The Bioengineering and Genome Sciences Building would be consistent and compatible with the scale and pattern of surrounding urban land uses. The DSEIS contains a lengthy analysis (Section III, p. 41) of the relationships between the proposed project and existing plans and policies such as the *1998 City University Community Agreement*, the *1991-2001 General Physical Development Plan*, the *Southwest Campus Plan*, Seattle's *Comprehensive Plan* and the *2002-20012 Campus Master Plan*. The FEIS did not identify any impacts that would require additional mitigation pursuant to SEPA policies regarding Land Use (SMC 25.05.675J).

Height Bulk and Scale

The *Bioengineering and Genome Sciences* building would change from a temporary gravel surface parking area to a multilevel structure**.** The building is designed to reflect the topographic features of the site. The structure is consistent with the type, pattern and intensity of land use in this part of the University's campus. The GPDP, Southwest Campus Plan and the Campus Master Plan depict development consistent with that of the building at this location. The perception of the site, however, would change from a relatively open area to a campus facility more closely resembling the scale of the newer University buildings of the South and West Campus. Campus Plans have depicted this site and area for intensive development of an urban scale. The structure is brought out to the street to reflect a more urban environment.

The building conforms to the bulk and dimensional standards for height set forth in the *Campus Master Plan* (*Section V*). The height limitation of the building combined with a stepped roofline would reduce the visual impact of the development. Roof top mechanical equipment is screened to protect views from upland properties. The design of the building, which includes terra cotta, aluminum panels and substantial fenestration, would be compatible with that of surrounding development. The immediately adjacent zoning is of similar development potential and scale. The FSEIS did not identify any impacts that would require additional mitigation pursuant to SEPA policies regarding Height Bulk and Scale (SMC 25.05.675 G).

Views

The project site is visually prominent due to its location adjacent to major transportation and pedestrian corridors, the Central Campus, and its location on a slope above Portage Bay. For this reason, the siting and design of the Bioengineering and Genome Science building reserves substantial open space for the Portage Bay Vista as envisioned in the *2001 General Physical Development Plan*, the *Southwest Campus Plan*, *2002-20012 Campus Master Plan.* Landscaping along the Bioengineering Genome Science Building's east faced will be installed as part of the project to enhance public enjoyment of the view. *Section III* of the DSEIS contains visual simulations depicting the proposed building in context.

Section 25.05.675 P of the SEPA code describes the City's policies for protecting public views. *"The City has developed particular sites for the public's enjoyment of views of mountains, water and skyline and has many scenic routes and other public places where such views enhance one's experience…Adopted Land Use Codes attempt to protect private views through height and bulk controls and other zoning regulations but it is impractical to protect private views through project-specific review."*

SEPA provides authority to mitigate obstructions of public view from several specified public places around the city such as City parks, scenic routes and viewpoints. [SMC 25.05.675 P (2) A] In this case, none of the protected viewpoints that are listed in the code would be affected by the project.

The *Bioengineering and Genome Sciences Building* will alter and block views from the Physics and Astronomy Building. A structure at this location at this height has been identified in the Campus Master Plan, the Southwest Campus Plan and the General Physical Development Plan (GPDP). In addition, the structure will alter the horizon and views from the Astronomy Observation Deck. Views from public streets to Portage Bay will be altered by the building. The building does not impact any protected scenic views or scenic routes in the vicinity of the site.

While certainly distinguishable in the urban landscape, the Draft and Final SEIS indicate that the Bioengineering and Genome Sciences building will not result in significant adverse view impacts and no mitigation pursuant to SEPA policies for public view protection (25.05.675P) is warranted.

Shadows

Seattle's SEPA policies are directed at "minimizing or preventing light blockage and the creation of shadows on open spaces most used by the public." Areas outside of downtown to be protected include: publicly-owned parks, public schoolyards, private schools that allow use of schoolyards during non-school hours, and publicly-owned street-ends in shoreline areas.

As noted in the *Section II* and *Section III* of the DEIS, areas surrounding the project site are developed with campus buildings, parking areas and student housing. The University's overlay designations for properties in the vicinity of the project site vary from H1 – 37 ft. to H5 – 105 ft. Existing on-site shading occurs as a result of the adjacent Physics/Astronomy Building complex, Hitchcock Hall, Ocean Sciences and the West Campus Parking Garage.

Nearby "public" spaces that could be affected by shadows from the project include the Burke Gilman Trail (immediately north of NE Pacific Street), Sakuma Viewpoint (west of the site at the foot of Brooklyn Avenue NE) and the Portage Bay Vista, which will border the east-side of the site. In addition, the sundial on the south side of the Physics and Astronomy Building would be shaded during 30 to 35 minutes of the day from early November to early February. During that time, weather data indicates there are very few sunny days in which the effect of the sundial would be diminished. These shading impacts are not anticipated to be significant and no conditioning is warranted pursuant to SEPA shading policies (SMC 25.05.675 Q.)

Transportation, Circulation & Parking

The Departments of Bioengineering and Genome Sciences are currently located in existing buildings on campus. The proposed project will allow consolidation of these academic programs into a more efficient space. This consolidation is not anticipated to result in a substantial increase in number of faculty students or staff on campus. However, the DSEIS includes an estimate (p.80, *Section III*) of the increased parking demand of approximately 155 vehicles to reflect the estimated vehicles associated with the people in the new building.

The 2001 FEIS for the *Master Plan, Seattle Campus* indicates there is capacity for 198 parking spaces within the South campus parking garages (p.249, *Section III*). The DSEIS and supporting documentation from the University's traffic consultant, *DSK Engineers*, indicate that this capacity will accommodate the anticipated parking demand. *DSK Engineers* anticipates most of the building occupants to move from other areas of south campus and expects these people will continue to park in existing locations in south and west campus. The eventual net growth in parking demand of approximately 155 spaces will be accommodated in existing campus parking facilities dispersed throughout campus. As reported in the 2002 GPDP Annual Report, in the autumn 2002 there were 11,629 parking spaces on campus subject to the parking cap of 12,300, which was 85% utilized, meaning that there were about 1,744 vacant parking spaces on campus.

In addition to the existing capacity on campus, the transportation analysis prepared by *DSK Engineers*, shows that, over time, project related parking demand will be reduced by the implementation of a transportation management plan (TMP) as called for in the Campus Master Plan. The TMP includes parking pricing as a key measure to reduce parking demand and motor vehicle trip generation. The University has increased parking pricing over time to manage and reduce existing parking demand and vehicle trips. This TMP approach would be utilized at the *Bioengineering and Genome Sciences* building to address the incremental parking needs generated by this project. The University and its transportation engineer anticipate that with implementation of the TMP, the overall parking demand of the building will decrease.

Motor vehicle trips from the proposed project would also be managed under the University's TMP. As such, the vehicle trips created by this site would replace trips that are eliminated through management practices of the TMP (pricing, transit pass subsidies, carpooling, etc.). The net effect in the campus area would be vehicle trips at or below levels set in the Campus Master Plan analysis. Because the site has no parking on-site, the pattern of vehicle trips created by the site would match existing vehicle trip impacts associated with the West Campus garage and Southwest Campus Master Plan, as well as the Master Plan transportation analysis. The level of

service and capacity needs have been defined in those studies, including associated mitigation and TMP needs. Based on the factors outlined above, any growth in parking resulting from this project will be dispersed in various parking facilities throughout the campus, therefore it is anticipated that traffic impacts will be dispersed as well.

The pattern of vehicle trips created by the site would match existing vehicle trip impacts associated with the West Campus garage and Southwest Campus Master Plan, as well as the 2001 *Campus Master Plan Transportation Technical Report*. These documents were incorporated by reference into the DSEIS. As noted in those documents and the DSEIS, the project will be subject to the University's Transportation Management Plan. The DSEIS (Section III p. 81) includes a complete discussion of campus-wide mitigation measures the University will provide.

The Draft and Final SEIS indicate that the Bioengineering and Genome Sciences building will not result in significant adverse impacts to traffic, parking or pedestrian circulation and no mitigation pursuant to SEPA policies for Transportation (25.05.675R) is warranted.

DECISION – SEPA

The Draft and Final SEIS, Master Use Permit plans submitted on the project; and responses to requests for information all comprise DCLU's record. Pursuant to SMC 25.05.600.D.1, DCLU relies on the Draft and Final Environmental Impact Statements prepared by the University of Washington in their role as lead agency. DCLU has determined that the SEIS issued and used for the environmental analysis of the *Bioengineering and Genome Sciences Building* and permitted herein, is adequate. The SEPA conditions listed below are imposed based on Master Use Permit (MUP) plans as well as on all environmental documentation submitted to date.

SHORELINE CONDITIONS

Prior to Issuance of a Construction Permit

1. Provide a water sampling plan for the groundwater that describes how the water will be pumped, stored and discharged; including the calculations for the volume of water that will be stored at the site before discharge and the sampling protocol that will be used to determine where the ground water will be discharged from the site.

SEPA CONDITIONS

Prior to Issuance of a Construction Permit

2. Submit to DCLU for review and approval a Truck Trip Plan which delineates the routes and the travel hours that trucks carrying project-related materials will employ to minimize negative traffic and noise impacts. Scheduled truck traffic shall avoid peak periods of 7:00 - 9:00 am and 3:00 - 6:00 pm, Monday through Friday and shall avoid coinciding with Husky Football games (before and after the games).

3. Submit to DCLU for review and approval a pedestrian circulation plan showing how existing routes will be altered during construction and how users will be notified of changes to existing routes and alternative routes in the immediate area.

4. Provide a plan showing the location of off street parking for construction workers.

5. See condition #1 under Shoreline Conditions.

6. Submit to DCLU for review and approval a plan showing the locations of proposed stockpiling of hazardous soils and what measures will be developed to ensure no surface water runoff will occur.

7. Submit to DCLU the approved location for disposal of the contaminated soil.

During Construction

8. To minimize dust and tracking of dirt onto nearby streets, construction equipment and truck undercarriages shall be washed, as needed, before exiting the site.

9. In order to minimize dust particulate emissions, exposed soils shall be sprayed with water regularly or covered with visqueen or similar material.

Signature: (signature on file) Date: August 14, 2003
Lori Swallow, Land Use Planner,
Department of Design, Construction and Land Use,
Land Use Division

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